

**4-809. Claim of exemption from garnishment.**

*[For use with Rules 1-065.2, 2-802, 3-802 NMRA in the Magistrate, Metropolitan and District Courts]*

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT COURT

\_\_\_\_\_, Plaintiff

v.

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

\_\_\_\_\_, Garnishee

**CLAIM OF EXEMPTION FROM GARNISHMENT**

Judgment debtor claims the following exemptions:

*(check box next to exemption)*

- a.     ☐     social security benefits (OASDI, SSI);
- b.     ☐     public assistance benefits (AFDC, welfare, GA);
- c.     ☐     life, accident or health insurance proceeds;
- d.     ☐     workers' compensation awards;
- e.     ☐     unemployment compensation benefits;
- f.     ☐     veterans' benefits;
- g.     ☐     pensions and retirement funds;
- h.     ☐     crime victims' reparation fund payments;

- i.     [ ]     allowances to surviving spouse and children from deceased's estate subject to the limitations of Sections 45-2-401 and 45-2-402 NMSA 1978;
- j.     [ ]     the minimum amount of shares necessary for certain non-profit cooperative associations as provided by Section 53-4-28 NMSA 1978;
- k.     [ ]     fraternal benefit society payments as provided by Section 59A-44-18 NMSA 1978.

A completed and signed copy of this form must be returned to the Clerk of the Court whose address is

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A completed and signed copy of the claim of exemption form shall be served on the judgment creditor and the garnishee named above. If the judgment creditor disputes a claimed exemption, a court hearing will be scheduled to consider the disputed exemptions. At this hearing you must bring evidence supporting each of your claims of exemption.

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Date

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Signature of judgment debtor

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Printed name of judgment debtor

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Number and street or P.O. box

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City, State, zip code

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Telephone number

[As amended, effective July 1, 1992; January 1, 1995; January 1, 1996.]